

TITLE 3: HEALTH AND SANITATION AND ANIMAL REGULATIONS

DIVISION 3: ENVIRONMENTAL HEALTH

Chapter 10: Housing and Institutions.

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Article 1: REGULATIONS OF BUILDINGS USED FOR HUMAN HABITATION

33.101 (Reserved)

33.102 Purpose and Intent.

It is the purpose and intent of this article to provide regulation for the maintenance, sanitation, ventilation, use, occupancy, and safety of rental dwelling units, hotels, and motels within this jurisdiction for the public health, safety, and general welfare. It is hereby declared that in any instance where the provisions of this article do not encompass all of the state regulations pertaining to the subject of this article, such regulations are included herein and incorporated by reference.

Renumbered and restated Ordinance #3105 (1986)

33.103 Authority and Enforcement.

Pursuant to the authority in Chapter 1 of this Environmental Health Code (E.H. Code); the California Health and Safety Code, Division 13, Part 1.5, and the California Administrative Code, Title 25, Chapter 1, and the applicable articles pursuant thereto and as otherwise provided by law, the Department of Environmental Health Services (DEHS) of the County of San Bernardino shall enforce the provisions of this Article within this jurisdiction, except as otherwise provided by this Board or Council.

Renumbered and restated Ordinance #3105 (1986)

33.104 Administrative and Enforcement Procedures.

Except where otherwise provided by this jurisdiction, and herein, DEHS shall include all provisions of Chapters 1, 2, and 3 of this E. H. Code in enforcing this Article.

Renumbered and restated Ordinance #3105 (1986)

33.015 Definitions.

Definitions herein shall supplement all definitions in Chapters 1 and 3 of this E. H. Code and the development code of this jurisdiction. Except as otherwise provided in this section, all terms used in this Article which are defined in the California Health and Safety Code, Division 13, Part 1.5 and the California Administrative Code, Title 25, Chapter 1, and the applicable articles adopted pursuant thereto, are used in this article as so defined, unless from the context thereof, it clearly appears that a different meaning is intended.

(a) "Apartment" shall mean a dwelling unit which is rented or offered for rent as a residence and shall not include a dwelling unit intended for the accommodation of transients.

(b) "Apartment House" shall mean any building or portion thereof containing three (3) or more apartments or dwelling units.

(c) "Dwelling Unit" shall mean one (1) or more habitable rooms which are occupied or which are intended to be, or designed to be, occupied by one (1) family with facilities for living, sleeping, eating and cooking.

(d) "Guest Room" shall mean any room or suite of rooms designed, used, and intended for the accommodation of a person, family, or party.

(e) "Hotel" shall mean any structure, or any portion of a structure, including any lodging house, boarding house, rooming house, dormitory, turkish bath, bachelor hotel, studio hotel, public clud, or private club, containing three (3) or more resident guest rooms and which is occupied or is intended or designed for occupation by three (3) or more guests, whether rent is paid in money, goods, labor, or otherwise. It does not include any jail, hospital asylum, sanitarium, orphanage, prison, or other building in which human beings are housed and detained under legal restraint.

(f) "Motel" shall mean a building or buildings each containing one (1) or more guest rooms or dwelling units or combinations thereof designed, used, and intended wholly or in part, for the accommodation of transients. "Motel" also includes any auto court, resort, and "bed and breakfast" lodging.

(g) "Multiple Apartments: shall mean three (3) or more apartments located on the same premises and/or parcel.

(h) "Premises" shall include all buildings located on contiguous parcels of land under common ownership.

Renumbered and restated Ordinance #3105 (1986)

33.106 Certificate of Occupancy (C of O).

No person or entity shall allow the occupancy of any multiple apartment units, apartment house, hotel, motel, or similar operation, without possessing an unexpired, unrevoked, unsuspended Certificate of Occupancy (C of O) from DEHS for each operation or premises, and paying fees to DEHS as provided by the San Bernardino County Code Schedule of Fees.

(a) A new C of O is required when:

(1) The occupancy classification of a building or portion thereof is changed.

(2) The number of apartments, guest rooms, or dwelling units is changed.

(3) The ownership of the multiple apartments, apartment house, hotel, or motel is changed.

(4j) The C of O has expired or has been revoked.

Renumbered and restated Ordinance #3105 (1986)

33.107 Late Application.

Upon the failure of the owner or operator to make application for a C of O within sixty (60) days of notification by DEHS concerning occupied premises, DEHS may charge a late processing fee equal to the original fee.

Renumbered and restated Ordinance #3105 (1986)

33.108 Inspection.

Prior to the issuance of the C of O, DEHS shall inspect each premise to assure compliance with the provision of this Article. When it is determined that the premises are in substantial compliance with the provisions of this Article, the C of O shall be issued. Should DEHS find substantial violations of this Article which render the premises or any portion thereof substandard, the C of O shall be withheld.

Renumbered and restated Ordinance #3105 (1986)

33.109 Revocation of the C of O.

Whenever DEHS determined that any premises, or portion thereof, for which a C of O has been issued, has become substandard, the C of O shall be revoked..

Renumbered and restated Ordinance #3105 (1986)

33.1010 Health Permit Required.

No person or entity shall allow the operation of a hotel, motel, auto court, resort, "bed and breakfast" lodging facility, or similar facility without possessing an unexpired, unrevoked, unsuspended permit for each facility and paying fees to DEHS in those amounts set forth in the San Bernardino County Code Schedule of Fees.

Renumbered and restated Ordinance #3105 (1986)

33.1011 Expiration of Permits.

Permits issued pursuant to this chapter expire the December 31st following issuance and such permit shall be renewed and all fees paid within thirty (30) days following the expiration date.

Renumbered and restated Ordinance #3105 (1986)

33.1012 Supplemental Permit Fees.

Fees of supplemental permits issued for guest rooms, dormitories, and dwelling units added after the issuance of the original permit shall be paid as prorated by DEHS on a monthly basis and the expiration date of supplemental permits shall be the same as the expiration date of the original permit.

Renumbered and restated Ordinance #3105 (1986)

33.1013 Violations, Remedies, and Penalties.

It shall be unlawful for any person to violate any provision of this Article. Except as provided herein, all administrative procedures, enforcement, remedies, and penalties of Chapters 1, 2, and 3 of this E.H. Code shall apply to this Article, and are in addition to all others provided by law.

33.1014-1019 (Reserved)

Article 2: OPERATION OF MOBILEHOME PARKS

33.1020 Purpose and Intent.

It is the purpose and intent of this Article to provide regulations and procedures for the operation of mobilehome parks within this jurisdiction.

Renumbered and restated Ordinance #3105 (1986)

33.1021 Authority and Enforcement.

Pursuant to the authority cited in Chapter 1 of this Environmental Health Code (E.H. Code), the provisions of the Mobilehome Parks Act, California Health and Safety Code, Division 13, Part 2.1 and the applicable regulations adopted pursuant thereto by the State Department of Housing and Community Development are hereby adopted as a part of this Article. It shall be the duty of the Office of Building and Safety to enforce all of the provisions of said Act pertaining to construction, alteration, or modification of all mobilehome parks. It shall be the duty of the San Bernardino County Environmental Health Services Department (DEHS) to enforce all the provisions pertaining to permits to operate, maintenance, use, occupancy, sanitation, and safety of all mobilehome parks including the provisions of this Article within this jurisdiction.

Renumbered and restated Ordinance #3105 (1986)

33.1022 Definitions.

All terms used in this Article are defined in Chapters 1 and 3 of this E.H. Code, in the Mobilehome Parks Act, California Health and Safety Code, Division 13, Part 2.1 and the applicable regulations adopted pursuant thereto by the State Department of Housing and Community Development and are used in this Article as so defined unless, from the context thereof, it clearly appears that a different meaning is intended.

Renumbered and restated Ordinance #3105 (1986)

33.1023 Health Permit.

Any person or owner who operates or permits the use of a mobilehome park or special occupancy park or portion thereof shall first obtain a permit issued by DEHS, authorizing such person or owner to operate such a mobilehome park or special occupancy park. Application for permits may be secured from DEHS. A permit to operate shall not be issued for a mobilehome park or special occupancy park or any portion thereof that has been constructed, reconstructed, or altered unless a valid certificate of occupancy has been written by the Office of Building and Safety of this jurisdiction and received by DEHS.

Renumbered and restated Ordinance #3105 (1986)

33.1024 Health Permit Fee.

Prior to the issuance of the DEHS permit, DEHS shall be paid a fee in the amount set forth in the San Bernardino County Code Schedule of Fees.

Renumbered and restated Ordinance #3105 (1986)

33.1025 Expiration of Permit.

Permits issued pursuant to this Article shall expire on December thirty-first (31st) following issuance and such permit must be renewed within thirty (30) days following the expiration date.

Renumbered and restated Ordinance #3105 (1986)

33.1026 Permit to Operate -- Penalty Fees.

Annual permit fees submitted after January thirty-first (31st) of each year are subject to penalty fees as follows:

(a) The fees for a permit to operate submitted on or after February first (1st), but before March first (1st) of each year are subject to a ten percent (10%) penalty fee. The fees for a permit to operate submitted on or after March first (1st) of each year are subject to a one hundred percent (100%) penalty fee. When fees are submitted by mail, the postmark shall establish the date of submittal.

Renumbered and restated Ordinance #3105 (1986)

33.1027 Amended Permit to Operate.

An amended permit to operate shall be required when there is any change in the information on the permit to operate. Changes in information shall include, but not be limited to, change of name or ownership; limits on lot occupancy; or number of lots resulting from the sale, lease, construction, or alteration of existing lots or facilities.

Renumbered and restated Ordinance #3105 (1986)

33.1028 Mobilehome and Accessory Structure Installations.

(a) Prior to the installation of each mobilehome or accessory structure on a mobilehome lot, a permit shall be obtained from DEHS. Permit application shall be submitted on forms provided by DEHS.

(b) Park operator approval shall be required on all applications for permits to install a mobilehome or to alter a mobilehome if such alteration would affect the electrical, fuel gas, or plumbing system of the mobilehome park.

(c) Park operator approval shall be required on all applications for permits to construct, reconstruct, install, or alter a mobilehome accessory structure to be located or proposed to be located within a mobilehome park.

(d) Appropriate fees shall be submitted to DEHS with each permit application in those amounts set forth in the San Bernardino County Code Schedule of Fees.

(e) A mobilehome shall not be located or installed in a special occupancy park except where so designated.

Renumbered and restated Ordinance #3105 (1986)

33.1029 Violations, Remedies, and Penalties.

It shall be unlawful for any person or entity to violate any provision of this Article. Except as provided herein, all administrative procedures, enforcement, remedies, and penalties of Chapters 1, 2, and 3 of this E.H. Code shall apply to this Article, and are in addition to all others provided by law.

Renumbered and restated Ordinance #3105 (1986)

Article 3: ORGANIZED CAMPS AND BOARDING SCHOOLS

33.1030 Purpose and Intent.

It is the purpose and intent of this Article to provide regulation for the proper operation and maintenance of all organized camps, boarding schools, and similar facilities within this jurisdiction to protect the public health, safety and general welfare.

Renumbered and restated Ordinance #3105 (1986)

33.1031 Authority and Enforcement.

Pursuant to the authority cited in Chapter 1 of this Environmental Health Code (E.H. Code), the provisions of the California Health and Safety Code, Division 13, Parts 2 and 3; and the California Administrative Code, Title 17, Sections 30700-30751 and Title 19, Sections 9.80-9.98, Sections P1001 through P 1118, and Sections T17-7583 through T17-7594 (except the provisions of Administrative Code, Title 17, Section 30720 not applying to boarding schools), and all other relevant State law adopted and incorporated into this Article by reference, the Department of Environmental Health Services (DEHS) of the County of San Bernardino shall enforce the provisions of this Article within this jurisdiction except as provided herein.

Renumbered and restated Ordinance #3105 (1986)

33.1032 Definitions.

Except as otherwise provided in this section, all terms used in this Article which are defined in the Statutes and Regulations adopted in Section 33.1031 are so defined herein unless from the context thereof it clearly appears that a different meaning is intended. Definitions herein shall include those in Chapters 1 and 3 of this E.H. Code.

(a) "Boarding School" shall mean any place where more than three (3) minor children are housed, cared for, provided board, or sleeping facilities, and training or recreation is provided by persons other than parents or legal guardians.

Renumbered and restated Ordinance #3105 (1986)

33.1033 Permit Required.

It shall be unlawful to operate or permit the operation of an organized camp, boarding school, or similar facility without an unexpired, unsuspended, unrevoked permit from DEHS and having paid fees to DEHS as prescribed by the San Bernardino County Code Schedule of Fees.

Renumbered and restated Ordinance #3105 (1986)

33.1034 (Reserved)

33.1035 Sleeping Rooms.

(a) No person shall keep any child in any room or dormitory in such school or camp which provides less than thirty (30) square feet of floor space for each single tier bed or less than twenty-five (25) square feet of floor space for each bed for double tier beds.

(b) Tents and tent structures are prohibited from use as sleeping rooms in a boarding school.

Renumbered and restated Ordinance #3105 (1986); Amended Ordinance 3429 (1991);

33.1036 Isolation Rooms.

Every boarding school wherein ten (10) or more children are housed must have a separate room or rooms equipped with separate toilet and bathing facilities for isolation purposes.

Renumbered and restated Ordinance #3105 (1986)

33.1037 Compliance Required for Establishment and Maintenance.

It shall be unlawful to establish or maintain any organized camp or boarding school which does not comply with the requirements of this Article, and all other applicable statutes, ordinances, rules, and regulations pertaining thereto.

Renumbered and restated Ordinance #3105 (1986)

33.1038 Violations, Remedies, and Penalties.

It shall be unlawful for any person or entity to violate any provision of this Article. Except as provided herein, all administrative procedures, enforcement, remedies, and penalties provisions of Chapters 1, 2, and 3 of this E.H. Code shall apply to this Article, and are in addition to all others provided by law.

Renumbered and restated Ordinance #3105 (1986)